

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No: Q69102

PATENT

Tsutomu KOJIMA, et al.

Appln. No.: 10/089,215

Group Art Unit: 1615

Confirmation No.: 4970

Examiner: Not Yet Assigned

Filed: March 26, 2002

For:

PYRIMIDINE COMPOUNDS, PROCESSES FOR THE PREPARATION THEREOF

AND PHARMACEUTICAL COMPOSITIONS COMPRISING THE COMPOUNDS AS

ACTIVE INGREDIENT

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date for an application other than a continued prosecution application (CPA) under §1.53(d); (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a INFORMATION DISCLOSURE STATEMENT

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request for continued examination (RCE) under §1.114, and therefore, no Statement under

37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

Mark Boland

Registration No. 32,197

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Date: December 20, 2002

12	Complete if Known		
Substitute for Form 1,149 A & B/PTO	Application Number	10/089,215	
P E INFORMATION DISCLOSURE	Confirmation Number	4970	
	Filing Date	March 26, 2002	
CATATEMENT BY APPLICANT	First Named Inventor	Tsutomu KOJIMA	
(use as many sheets as necessary)	Art Unit	1615	
	Examiner Name	Not Yet Assigned	
reactive I of I	Attorney Docket Number	Q69102	

			U.S. I	PATENT DOCUME	ENTS
Examiner Initials*	Cito	Document Number		Publication Date	
	Cite No. ¹	Number	Kind Code ² (if known)	MM-DD-YYYY	Name of Patentee or Applicant of Sit of Document
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date	Name of Patentee or	
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation ⁶
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶	
		Supplemental European Search Report dated November 27, 2002		
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Examiner Signature		Date Considered	
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.



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STATEMENT UNDER 37 CFR § 1.704(d)

Commissioner for Patents Washington, D.C. 20231

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, that the communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

SUGHRUE MION, PLLC 2100 Pennsylvania Avenue, N.W.

Washington, D.C. 20037-3213

Telephone: (202) 293-7060 Facsimile: (202) 293-7860 Date: December 20, 2002

Mark Boland

Registration No. 32,197

PATENT APPLICATION

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SUBMISSION OF ENGLISH TRANSLATION OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Attached please find a copy of an English Translation of the International Preliminary Examination Report received from the Applicants, to advance prosecution in the event such is not readily available from the International Bureau. Claims 1-22 of the PCT application were found to be novel, involve an inventive step and include industrial applicability.

Respectfully submitted,

Registration No. 32,197

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Date: December 20, 2002